IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON NO.1698 OF 1991

Mr.Vipul Indravardhan Desai
Proprietor of M/s.Jas International ..Petitioner.

V/s.

Union of India & Ors. ..Respondents.

Mr.Mulchandani i/b. M/s. Kamal & Co. for petitioner.

Mr.H.V.Mehta for respondents.

CORAM : S.RADHAKRISHNAN AND
J.P.DEVADHAR, JJ.

DATED : 27TH JANUARY, 2005.

P.C. :-

1. Heard the learned counsel for the petitioner and the respondents. Both the counsel categorically state that the facts and circumstances involved in the present writ petition are also identical with the facts and circumstances in the case of **Ramesh Occhavlal Shah V/s. Union of** reported in **1992(62) E.L.T. 280 (Bom.)**, excepting that the policy which was involved in the reported judgment was of the year 1980-81, 1981-82 and

1982-83; whereas in the present case, the policy involved is of the year 1983-84. Having regard to the facts and circumstances of the above Judgment of our High Court, we direct the petitioner to apply to the concerned authorities with the requisite information and details for necessary endorsement / clearance or permission. This should be done within a period of one month from today. The authorities concerned shall scrutinise the claim of the petitioner carefully in the light of the Judgment in the case of **Ramesh Occhavlal Shah (supra)** and the relevant provisions of the Import Policy concerned and give its decision thereon by passing a reasoned order within a period of 2 months thereafter.

2. Accordingly, rule is made absolute in terms of above order. However, there will be no order as to costs.

(S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)